

## **Town Board Minutes**

March 7, 2022

Meeting No. 5

A Regular Meeting of the Town Board of the Town of Lancaster, Erie County, New York, was held at the Town Hall at 21 Central Avenue, Lancaster, New York on the 7th day of March 2022 at 7:00 P.M. and there were

**PRESENT:** MARK BURKARD, COUNCIL MEMBER  
ADAM DICKMAN, COUNCIL MEMBER  
ROBERT LEARY, COUNCIL MEMBER  
DAVID MAZUR, COUNCIL MEMBER  
RONALD RUFFINO, SUPERVISOR

**ABSENT:** NONE

**ALSO PRESENT:** DIANE TERRANOVA, TOWN CLERK  
THOMAS FOWLER, TOWN ATTORNEY  
MATTHEW FISCHIONE, CODE ENFORCEMENT OFFICER  
WILLIAM KARN, CHIEF OF POLICE  
MICHELLE BARBARO, DEP. HIGHWAY SUPERINTENDENT  
JOHN PILATO, HIGHWAY SUPERINTENDENT  
EDWARD SCHILLER, ENGINEER, WM. SCHUTT & ASSOC.

### **EXECUTIVE SESSION:**

AT 7:55 P.M., UPON A MOTION DULY MADE BY COUNCIL MEMBER DICKMAN, SECONDED BY COUNCIL MEMBER LEARY AND CARRIED, the Town Board entered into Executive Session to deliberate on the announced purpose of discussing collective bargaining negotiations per Article 14 of Civil Service Law.

At 9:39 P.M., the Town Board reconvened with all members present. The Town Clerk reported that no official actions were taken by the Town Board in Executive Session.

## **PERSONS ADDRESSING TOWN BOARD:**

**Lemaster, Kevin**, spoke to the Town Board on the following matter:

- Reminded the Board that the Lancaster Industrial Development Agency is a state agency and separate from Town government.

**Ostroff, James**, spoke to the Town Board on the following matters:

- Questions about a September 7, 2021 resolution regarding a no left turn on Pleasant View Drive from Stutzman Road.
- Comments on the proposed Belmont Housing Development.

**Sojka, Greg**, spoke to the Town Board on the following matters:

- Questions about the Town of Clarence processing leaves, wood chips and brush.
- Commented on the light pole on Nicholas Lane.

**PUBLIC HEARING SCHEDULED FOR 7:15 P.M.:** No. 1 Rezone 338 Harris Hill Road

ON MOTION BY COUNCIL MEMBER LEARY SECONDED BY COUNCIL MEMBER MAZUR AND CARRIED, the public hearing was opened.

At 7:15 P.M., the Town Board held a Public Hearing to hear all interested persons upon a Rezone for 338 Harris Hill Road matter.

The affidavits of publication and posting of this Public Hearing are on file and a copy of the Legal Notice has been posted.

<b>NAME OF PERSONS ADDRESSING THE BOARD ON THIS SUBJECT</b>	<b>Proponent/ Opponent/ Comments/Question</b>
Ari Goldberg, Representing Petitioner Barclay Damon	Proponent
James Ostroff	Comments/Questions

ON MOTION BY COUNCIL MEMBER LEARY, SECONDED BY COUNCIL MEMBER BURKARD AND CARRIED, the public hearing was closed at 7:25P.M.

Decision on this matter was reserved.

March 7, 2022

**PUBLIC HEARING SCHEDULED FOR 7:15 P.M.:** No. 2 Special Use Permit  
Telecommunication Tower Co-Location 5051 Transit Road

ON MOTION BY COUNCIL MEMBER DICKMAN, SECONDED BY  
COUNCIL MEMBER LEARY AND CARRIED, the public hearing was opened.

At 7:26 P.M., the Town Board held a Public Hearing to hear all interested  
persons upon a Special Use Permit approval for a telecommunications tower co-location at  
5051 Transit Road (Hayes Avenue) matter.

The affidavits of publication and posting of this Public Hearing are on file  
and a copy of the Legal Notice has been posted.

<b>NAME OF PERSONS ADDRESSING THE BOARD ON THIS SUBJECT</b>	<b>Proponent/ Opponent/ Comments/Question</b>
Richard Zajac, Representing Petitioner Crown Castle	Proponent

ON MOTION BY COUNCIL MEMBER BURKARD, SECONDED BY  
COUNCIL MEMBER LEARY AND CARRIED, the public hearing was closed at 7:28 P.M.

Decision on this matter was reserved.

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**PRESENTATION OF PREFILED RESOLUTIONS:**

THE FOLLOWING RESOLUTION WAS OFFERED  
BY SUPERVISOR RUFFINO, WHO  
MOVED ITS ADOPTION, SECONDED BY  
COUNCIL MEMBER MAZUR, TO WIT:

**RESOLVED**, that the minutes of the Regular Meeting of the Town Board held  
February 14, 2022 be and are hereby approved.

The question of the adoption of the foregoing resolution was duly put to a vote  
on roll call, which resulted as follows:

COUNCIL MEMBER BURKARD	VOTED	YES
COUNCIL MEMBER DICKMAN	VOTED	YES
COUNCIL MEMBER LEARY	VOTED	YES
COUNCIL MEMBER MAZUR	VOTED	YES
SUPERVISOR RUFFINO	VOTED	YES

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THE FOLLOWING RESOLUTION WAS OFFERED  
BY SUPERVISOR RUFFINO, WHO  
MOVED ITS ADOPTION, SECONDED BY  
COUNCIL MEMBER MAZUR, TO WIT:

**RESOLVED**, that the following Audited Claims be and are hereby ordered  
paid from their respective accounts as per abstract to be filed in the Office of the Town Clerk  
by the Assistant to the Supervisor, to wit:

Check Run #03072022

Total amount hereby authorized to be paid: \$4,018,643.05

The question of the foregoing resolution was duly put to a vote on roll call  
which resulted as follows:

COUNCIL MEMBER BURKARD	VOTED	YES
COUNCIL MEMBER DICKMAN	VOTED	YES
COUNCIL MEMBER LEARY	VOTED	YES
COUNCIL MEMBER MAZUR	VOTED	YES
SUPERVISOR RUFFINO	VOTED	YES

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THE FOLLOWING RESOLUTION WAS OFFERED  
BY COUNCIL MEMBER MAZUR WHO  
MOVED ITS ADOPTION, SECONDED BY  
COUNCIL MEMBER DICKMAN, TO WIT:

**RESOLVED** that the following Building Permit applications be and are hereby reaffirmed:

**CODES:**

- (SW) = Sidewalks as required by Chapter 310 of the Code of the Town of Lancaster are waived for this permit.  
(CSW) = Conditional sidewalk waiver  
(V/L) = Village of Lancaster

**NEW PERMITS:**

Pmt #	SW	Applicant Name	Address	STRUCTURE	Village
33743		Verizon Wireless	933 Ransom Rd	Cell Tower - Alteration	
33757		Verizon Wireless	69 Cemetery Rd	Cell Tower - Alteration	
33767		HBO Builders West Inc.	2 Trenton Ave	Er. Shed	(V/L)
33771		Buffalo's Best Roofing	25 Greenbriar Dr	Re-Roof	
33772		CIR Electrical Construction	60 Tomahawk Trl	Inst. Solar Panels	
33773		TNT Buildings, Inc.	5799 Genesee St	Er. Comm. Bldg.	
33774		Telco Construction Inc.	6 Lancaster Pkwy	Er. Comm. Add./Alt.	
33775		CIR Electrical Construction	31 Cambria St	Inst. Solar Panels	(V/L)
33776		David Basher	0 Erie St	Er. Dwlg.-Sin.	
33777		Franks Commercial & Home	78 Pleasant Ave	Inst. Res. Plumbing	(V/L)
33778		The Vinyl Outlet Inc.	46 Briarwood Dr	Er. Fence	(V/L)
33779		Roy's Plumbing Inc.	35 Albert Dr	Inst. Res. Plumbing	(V/L)
33780		DRYM LLC	73 Lake Ave	Er. Res. Alt.	(V/L)
33781		Jeffrey Zack	18 Rollingwood Dr	Er. Res. Add.	
33782		Sky's Smoke Shop	5207-5211 Broadway	Er. Comm. Add./Alt.	(V/L)
33783		Neth & Son Inc.	3786 Bowen Rd	Re-Roof	
33784		Marrano/Marc Equity Corp.	1/2 Sawgrass Ln	Er. Dwlg.-Sin.	
33785		Zenner & Ritter Co. Inc.	1150 Ransom Rd	Inst. Generator	
33786		Zenner & Ritter Co. Inc.	3 Dorchester Ct	Inst. Generator	
33787		Franks Commercial & Home	48 Fairfield Ave	Er. Res. Alt.	(V/L)
33788		Stephen McPherson	143 Sixth Ave	Er. Pool-Abv Grnd	(V/L)
33789		Pamoja Properties LLC	208 Central Ave	Dem. Chimney	(V/L)
33790		Marrano/Marc Equity Corp.	70 Grambo Dr	Er. Patio Home	
33791		Crist Construction	25 Sedge Run	Er. Porch/Porch Cover	
33792		Daniel Zwolinski	56 Robert Dr	Dumpster - Temp.	(V/L)
33793		Parco Building Systems Inc.	487 Schwartz Rd	Er. Pole Barn	
33794		Curt Blizzard	43 Creekwood Dr	Inst. Generator	
33795		David Wittman	7 Weathersfield Ln	Er. Fence	
33796		David Bandish	84 Schlemmer Rd	Inst. Generator	
33797		MD Hoffman Enterprises LLC	19 W Main St	Er. Comm. Add./Alt.	(V/L)
33798		CMJA Holdings LLC	5321 Broadway	Er. Res. Alt.	(V/L)
33799		Priam Development LLC	6461 Transit Rd	Er. Comm. Add./Alt.	
33800		Unified Maintenance & Constr.	6707 Transit Rd	Er. Comm. Add./Alt.	
33801		Crist Construction	20 Henslow Way	Er. Porch/Porch Cover	
33802		Rudolf Sturm	233 Seneca Pl	Er. Fence	
33803		Kayla Williams	825 Erie St	Er. Pole Barn	
33804		Marrano/Marc Equity Corp.	107 Grambo Dr	Er. Patio Home	
33805		AVA Roofing & Siding Inc.	22 Sawgrass Ln	Re-Roof	
33807		CMK Builders of Alden, Inc.	12 Kevwood Ln	Er. Dwlg.-Sin.	
33808		Nickel City Home Service Inc.	100 Irwinwood Rd	Inst. Res. Plumbing	(V/L)
33812		James Chojnacki	37 Hidden Meadow Cros	Er. Fence	
33813		Franks Commercial & Home	39 Park Blvd	Inst. Res. Plumbing	(V/L)
33814		Franks Commercial & Home	59 Fox Hunt Rd	Inst. Res. Plumbing	
33815		Buffalo Roofing Co., LLC	57 School St	Re-Roof	(V/L)

**RESOLVED**, that the Building Permit Applications herein coded (CSW) for conditional sidewalk waiver be and are hereby reaffirmed with a waiver of the Town Ordinance required for sidewalks, however, the waiver is granted upon the expressed condition that the Town of Lancaster, at any future date, reserves the right to order sidewalk installation at the expense of the property owner.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCIL MEMBER BURKARD	VOTED	YES
COUNCIL MEMBER DICKMAN	VOTED	YES
COUNCIL MEMBER LEARY	VOTED	YES
COUNCIL MEMBER MAZUR	VOTED	YES
SUPERVISOR RUFFINO	VOTED	YES

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THE FOLLOWING RESOLUTION WAS OFFERED  
BY COUNCIL MEMBER BURKARD, WHO  
MOVED ITS ADOPTION, SECONDED BY  
COUNCIL MEMBER DICKMAN, TO WIT:

**WHEREAS**, the Bowmansville Volunteer Fire Association, by letter received February 22, 2022, has requested the addition of one (1) member and the deletion of two (2) members to the roster of said fire association.

**NOW, THEREFORE,**

**BE IT RESOLVED**, that the Town Board of the Town of Lancaster hereby confirms the addition to the membership of the Bowmansville Volunteer Fire Association the following individual:

**ADDITION:**

Ayden McGhee

**BE IT FURTHER,**

**RESOLVED**, that the Town Board of the Town of Lancaster hereby confirm the deletions to the membership of the Bowmansville Volunteer Fire Association the following individuals:

**DELETIONS:**

Jason Miles Janel Koeth

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCIL MEMBER BURKARD	VOTED	YES
COUNCIL MEMBER DICKMAN	VOTED	YES
COUNCIL MEMBER LEARY	VOTED	YES
COUNCIL MEMBER MAZUR	VOTED	YES
SUPERVISOR RUFFINO	VOTED	YES

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THE FOLLOWING RESOLUTION WAS OFFERED  
BY COUNCIL MEMBER BURKARD, WHO  
MOVED ITS ADOPTION, SECONDED BY  
COUNCIL MEMBER LEARY, TO WIT:

**WHEREAS**, it is essential to public safety that the Town of Lancaster continue its participation in the coordinated effort to reduce alcohol related traffic injuries and fatalities, and

**WHEREAS**, the County of Erie has tendered an application to the Town of Lancaster for participation in said coordinated effort for the 2022 calendar year.

**NOW, THEREFORE,**

**BE IT RESOLVED**, that the Supervisor is hereby authorized and directed to execute on behalf of the Town of Lancaster, the 2022 Police & Court Contract 2022 STOP-DWI Agreement with the County of Erie for participation in funding of alcohol related traffic safety law enforcement activities under the 2022 STOP-DWI Grant Program.

**BE IT FURTHER,**

**RESOLVED**, that the Chief of Police, William J. Karn, Jr., is authorized to execute the 2021 ERIE COUNTY STOP-DWI Appendix A of the Police & Court Contract 2022 STOP-DWI Agreement.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCIL MEMBER BURKARD	VOTED	YES
COUNCIL MEMBER DICKMAN	VOTED	YES
COUNCIL MEMBER LEARY	VOTED	YES
COUNCIL MEMBER MAZUR	VOTED	YES
SUPERVISOR RUFFINO	VOTED	YES

March 7, 2022

THE FOLLOWING RESOLUTION WAS OFFERED  
BY COUNCIL MEMBER MAZUR, WHO  
MOVED ITS ADOPTION, SECONDED BY  
COUNCIL MEMBER BURKARD, TO WIT:

**WHEREAS**, Stephen Geltz of Daryl Martin Architect, PC on behalf of **Salvatore’s Italian/Prime Restaurant** has prepared and submitted a site plan amendment consisting of drawings A-1 and A-2 created October 5, 2021 and plotted October 7, 2021, and drawing ST-1 created September 13, 2021 and plotted October 5, 2021, which were received October 27, 2021, for the proposed enclosure of the existing outdoor dining patio and rebuild a new open outdoor dining patio (1,300 Sq. Ft. covered area and 1,100 Sq. Ft. uncovered area) on their existing +/- 8.22 acre site located at 6461 Transit Road (SBL No. 93.05-2-1.1), in the Town of Lancaster, and

**WHEREAS**, the site plan for this project was submitted to the Planning Board and was approved at their November 3, 2021 meeting, and

**WHEREAS**, the Town, acting as Lead Agency under the State Environmental Quality Review Act (“SEQRA”) has identified the relevant areas of environmental concern and determined the action to be a Type II action under 6NYCRR Part 617.5(c)(9).

**NOW, THEREFORE,**

**BE IT RESOLVED**, that the Town Board of the Town of Lancaster hereby approves the site plan amendment prepared Stephen Geltz of Daryl Martin Architect, PC on behalf of **Salvatore’s Italian/Prime Restaurant** consisting of drawings A-1 and A-2 created October 5, 2021 and plotted October 7, 2021, and drawing ST-1 created September 13, 2021 and plotted October 5, 2021, which were received October 27, 2021, for the proposed enclosure of the existing outdoor dining patio and rebuild a new open outdoor dining patio (1,300 Sq. Ft. covered area and 1,100 Sq. Ft. uncovered area) on their existing +/- 8.22 acre site located at 6461 Transit Road (SBL No. 93.05-2-1.1), in the Town of Lancaster with the following conditions:

- 1. Contractor to provide an “As-built” survey to the Building Department prior to any Certificates of Compliance/Occupancy being issued.
- 2. The applicant will obtain a Floodplain Development Permit prior to the issuance of a building permit.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCIL MEMBER BURKARD	VOTED	YES
COUNCIL MEMBER DICKMAN	VOTED	YES
COUNCIL MEMBER LEARY	VOTED	YES
COUNCIL MEMBER MAZUR	VOTED	YES
SUPERVISOR RUFFINO	VOTED	YES

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THE FOLLOWING RESOLUTION WAS OFFERED  
BY COUNCIL MEMBER BURKARD, WHO  
MOVED ITS ADOPTION, SECONDED BY  
COUNCIL MEMBER LEARY, TO WIT:

**WHEREAS**, the Town of Lancaster previously entered into an agreement with the Town of Clarence to accept leaves, wood chips, brush and other like materials (excluding grass clippings) for the purpose of composting, and

**WHEREAS**, the contract expired according to its terms on December 31, 2021, and

**WHEREAS**, the Town desires to continue disposing of its composting materials at the Town of Clarence, New York’s Highway composting facility located at 6185 Goodrich Road, Clarence, New York, and

**WHEREAS**, the Town of Clarence has agreed to accept up to 10,000 cubic yards of materials provided that all requirements for acceptance of composting set by the New York State Department of Environmental Conservation are met and to extend the contract to a three (3) year term.

**NOW, THEREFORE,**  
**BE IT RESOLVED**, that the Town Board of the Town of Lancaster hereby authorizes the Town Supervisor to execute the contract with the Town of Clarence for the purpose of delivering and processing leaves, wood chips, brush and other like materials (excluding grass clippings) for the purpose of composting to the Town of Clarence’s Highway facility located at 6185 Goodrich Road, per the terms and conditions listed therein for a three (3) year term commencing immediately and terminating December 31, 2024, at no additional cost to the Town.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCIL MEMBER BURKARD	VOTED	YES
COUNCIL MEMBER DICKMAN	VOTED	YES
COUNCIL MEMBER LEARY	VOTED	YES
COUNCIL MEMBER MAZUR	VOTED	YES
SUPERVISOR RUFFINO	VOTED	YES

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THE FOLLOWING RESOLUTION WAS OFFERED  
BY COUNCIL MEMBER LEARY, WHO  
MOVED ITS ADOPTION, SECONDED BY  
COUNCIL MEMBER BURKARD, TO WIT:

**WHEREAS**, by resolution of the Town of Lancaster Town Board dated January 3, 2022, Leza Braun was listed as the Lancaster Industrial Development Agency's ("LIDA") positions of Administrative Secretary and PILOT Billing Coordinator with annual salaries of \$5,000.00 and \$1,500.00 respectively, and

**WHEREAS**, the LIDA and the Town of Lancaster are separate entities and therefore neither entity has the authority to set salaries for the other's employees, and

**WHEREAS**, by resolutions dated February 11 and February 17, 2022, the LIDA set the annual salary for its Administrative Secretary at \$7,500.00, as was set and budgeted for by the previous LIDA Board, and the annual salary for its PILOT Billing Coordinator at \$2,500.00 respectively, and

**WHEREAS**, the LIDA will reimburse the Town for the salaries to be paid to Leza Braun for these positions.

**NOW, THEREFORE,**

**BE IT RESOLVED**, that the January 3, 2022 resolution is here by amended to accurately reflect Leza Braun's compensation as the Secretary to the LIDA with an annual salary of \$7,500.00 and as the LIDA PILOT billing position with an annual salary of \$2,500.00, to be made effective retroactively to January 1, 2022, and

**BE IT FURTHER,**

**RESOLVED**, that the Lancaster Town Supervisor and Payroll Supervisor shall be authorized to take all necessary action to implement the foregoing.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCIL MEMBER BURKARD	VOTED	YES
COUNCIL MEMBER DICKMAN	VOTED	YES
COUNCIL MEMBER LEARY	VOTED	YES
COUNCIL MEMBER MAZUR	VOTED	YES
SUPERVISOR RUFFINO	VOTED	NO

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THE FOLLOWING RESOLUTION WAS OFFERED  
BY SUPERVISOR RUFFINO, WHO  
MOVED ITS ADOPTION, SECONDED BY  
COUNCIL MEMBER MAZUR, TO WIT:

**WHEREAS**, on October 15, 2018, the Town Board executed the street lighting facilities purchase and sale agreement, and a pole attachment agreement, with New York State Electric and Gas, and

**WHEREAS**, in 2021 a resident on Nicholas Lane contacted former Highway Superintendent Daniel Amatura to request that a light be installed at the intersection of William Street and Nicholas Lane to promote pedestrian safety, and

**WHEREAS**, then Highway Superintendent Amatura had the light purchased and installed by Power & Construction which requires the Town Board to pass a resolution accepting the light be added to the Town’s monthly service bill, and

**WHEREAS**, by letter dated February 25, 2022, Town Engineer, Edward Schiller, notified the Board of the situation and requested a resolution be prepared.

**NOW, THEREFORE,**

**BE IT RESOLVED**, that the Town Board of the Town of Lancaster hereby accepts the light pole installed at the intersection of William Street and Nicholas Lane and authorizes NYSEG to include it in the Town’s inventory for monthly service.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCIL MEMBER BURKARD	VOTED	YES
COUNCIL MEMBER DICKMAN	VOTED	YES
COUNCIL MEMBER LEARY	VOTED	YES
COUNCIL MEMBER MAZUR	VOTED	YES
SUPERVISOR RUFFINO	VOTED	YES

March 7, 2022

THE FOLLOWING RESOLUTION WAS OFFERED  
BY SUPERVISOR RUFFINO, WHO  
MOVED ITS ADOPTION, SECONDED BY  
COUNCIL MEMBER MAZUR, TO WIT:

**WHEREAS**, the Town of Lancaster, with the assistance from Tetra Tech, Inc., has gathered information and prepared the Hazard Mitigation Plan, Erie County, New York, September 2021 (“the Plan”), and

**WHEREAS**, the Plan has been prepared in accordance with the Disaster Mitigation Act of 2000, and

**WHEREAS**, the Town of Lancaster is a local unit of government that has afforded the citizens an opportunity to comment and to provide input in the Plan and the actions in the Plan, and

**WHEREAS**, the Town of Lancaster has reviewed the Plan and affirms that the Plan will be updated no less than every five years.

**NOW, THEREFORE,**

**BE IT RESOLVED**, by the Town Board of the Town of Lancaster adopts the Hazard Mitigation Plan, Erie County, New York, September 2021 as this jurisdiction’s Natural Hazard Mitigation Plan, and resolves to execute the actions within the Plan.

The question of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCIL MEMBER BURKARD	VOTED	YES
COUNCIL MEMBER DICKMAN	VOTED	YES
COUNCIL MEMBER LEARY	VOTED	YES
COUNCIL MEMBER MAZUR	VOTED	YES
SUPERVISOR RUFFINO	VOTED	YES

March 7, 2022

SUSPENDED RESOLUTION:

Council Member Burkard requested a suspension of the necessary rules for immediate consideration of the following resolution:

UPON A MOTION DULY MADE BY COUNCIL MEMBER DICKMAN, SECONDED BY COUNCIL MEMBER LEARY AND CARRIED, a suspension was granted.

THE FOLLOWING RESOLUTION WAS OFFERED  
BY COUNCIL MEMBER BURKARD, WHO  
MOVED ITS ADOPTION, SECONDED BY  
COUNCIL MEMBER MAZUR, TO WIT:

**WHEREAS**, Town of Lancaster’s Highway Superintendent, John Pilato, by letter dated February 23, 2022, has requested the purchase of **one (1) new and unused 2022 John Deere 624 P Wheel Loader**, for use by the Highway Department, and

**WHEREAS**, the above-referenced loader is available from Five Star Equipment, Inc., the authorized dealer for John Deere the vendor under contract (#032119-JDC) with Sourcwell, a local government and procurement collaborative of the State of Minnesota, of which the Town of Lancaster is a member and will be “Piggybacking” off of, which will eliminate the need for competitive bidding pursuant to §103 (16) of General Municipal Law, and

**WHEREAS**, the cost for **one (1) new and unused 2022 John Deere 624 P Wheel Loader**, is **\$253,350.53** per Five Star Equipment Inc.’s quote (Id # 26122129) dated February 22, 2022, and

**WHEREAS**, the Highway Department will be considering a trade-in allowance of \$40,000.00 for their 2005 John Deere 624J (Serial# DW624JZ601092 w/approx. 6,000 hrs.) to offset the cost.

**NOW, THEREFORE,**  
**BE IT RESOLVED**, as follows: that the Town Board or the Town of Lancaster hereby approves the purchase of **one (1) new and unused 2022 John Deere 624 P Wheel Loader** from Five Star Equipment, Inc., the authorized dealer for John Deere the vendor under contract (#032119-JDC) with Sourcwell, a local government and procurement collaborative of the State of Minnesota, of which the Town of Lancaster is a member and will be “Piggybacking” off of, as proposed by Highway Superintendent John Pilato for the total amount (including trade-in allowance) not to exceed \$213, 350.53, which will be paid for with funds approved in the March 15, 2021 Highway Department Acquisition of Equipment & Machinery Bond Resolution.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCIL MEMBER BURKARD	VOTED	YES
COUNCIL MEMBER DICKMAN	VOTED	YES
COUNCIL MEMBER LEARY	VOTED	YES
COUNCIL MEMBER MAZUR	VOTED	YES
SUPERVISOR RUFFINO	VOTED	YES

March 7, 2022



## **COMMUNICATIONS & REPORTS**

- 131. Charter Communications to Town Clerk –  
Upcoming changes to channel line-up. Disposition = Received & Filed**
- 132. Cheektowaga Town Clerk to Lancaster Town Clerk –  
Notice of Public Hearing – Rezone – 6386 Transit Road scheduled to be a  
Virtual Meeting on February 22, 2022 at 7:00PM. Disposition = Received & Filed**
- 133. Brian MacPeck to Honorable Judge Jeremy Colby –  
Letter of resignation from the position of Court Officer with the Lancaster  
Town Court effective February 18, 2022. Disposition = Received & Filed**
- 134. Kaitlin Walsh to Town Highway Department –  
Letter of resignation from the Town of Lancaster Highway Department  
effective February 8, 2022. Disposition = Received & Filed**
- 135. Craig Blanchard to Town Building Department –  
Letter of resignation from the position of Building and Zoning Clerk in the  
Town of Lancaster Building Department effective February 26, 2022.  
Disposition = Received & Filed**
- 136. Supervisor to town residents –  
Local State of Emergency declared in the Town of Lancaster beginning on  
February 15, 2022 and ending on March 15, 2022 due to COVID-19.  
Disposition = Received & Filed**
- 137. Erie County Dept. of Police Services STOP-DWI to Supervisor –  
Contract that will allow the Town of Lancaster to participate and receive  
funding through the Erie County STOP-DWI Program for 2022.  
Disposition = Resolution 3/7/22**
- 138. Bowmansville Volunteer Fire Association to Town Clerk –  
Change in roster. Disposition = Resolution 3/7/22**
- 139. New York State Senate to Supervisor –  
Information regarding Senator Patrick Gallivan joining colleagues & law  
enforcement in calling for restoration of public safety policies.  
Disposition = Received & Filed**
- 140. East Aurora Bee to Town Clerk –  
Article regarding Senator Patrick Gallivan and public safety agenda.  
Disposition = Received & Filed**
- 141. Lancaster Town Band, Inc. to Supervisor –  
Request for use of the band shell behind the Lancaster Youth Bureau for the  
Summer concert series during June, July and August of 2022.  
Disposition = Received & Filed**
- 142. Planning Board Chairman to Planning Board, Town Board, Engineering  
Consultant, Town Attorney, Highway Superintendent and Building Inspector –  
Draft copy of minutes from February 16, 2022 Planning Board meeting.  
Disposition = Received & Filed**
- 143. Town Attorney to NYSDEC, Erie County Water Authority, Erie County Health  
Dept., Division of Sewerage Management, NYSDOT and Erie County DEP –  
Request for lead agency designation regarding Coordinated Review, Amendment  
to Original Site Plan for Plumb Creek Apartments, 5680 Broadway, Proj. #1143.  
Disposition = Planning Committee**

- 144. Town Attorney to NYSDEC, US Army Corps of Engineers, Erie County Water Authority, Erie County Health Dept., Division of Sewerage Management, NYSDOT, and Erie County DEP –  
Request for lead agency designation regarding Coordinated Review, Dollar General Retail Store, 5807 Broadway, Proj. #2102.  
Disposition = Planning Committee**
- 145. Legal Assistant to Town Attorney to Town Board and Planning Board –  
SEQR response from Erie County Dept of Public Works regarding Preliminary Plat Cross Creek Phase 9, 538 Pavement Rd., Proj. #5055.  
Disposition = Planning Committee**
- 146. Town Clerk to Various News Media –  
Press Release reminding residents of the Town (excluding the Villages of Lancaster and Depew) regarding Yard Sale permits.  
Disposition = Received & Filed**
- 147. Charter Communications to Town Clerk –  
Upcoming changes to channel line-up. Disposition = Received & Filed**
- 148. Charter Communications to Town Clerk –  
Upcoming changes to rates and programming fees.  
Disposition = Received & Filed**
- 149. Stormwater Management Officer to Drainage & Storm Sewer Committee –  
MS4 Report for February 2022. Disposition = Received & Filed**
- 150. Attorney Alan Knauf to Town Board and Planning Board –  
Request for denial of approval of the Rezoning and Site Plan for 4781 Transit Rd. unless his client's (Transit Rd. Strip Acquisitions LLC) concerns are fully addressed. Disposition = Received & Filed**
- 151. NYSDEC to Supervisor –  
Letter of Map Revision. Disposition = Received & Filed**
- 152. Town Engineer to Town Board –  
Request for resolution stipulating that the Town will accept the streetlight installed at William St. and Nicholas Lane. Disposition = Resolution 3/7/22**
- 153. Highway Superintendent to Town Board –  
Request for resolution to purchase one new and unused 2022 John Deer 624 P Wheel Loader from Five Star Equipment, Inc., 284 Ellicott Rd., West Falls, NY.  
Disposition = Resolution 3/7/22**
- 154. Highway Superintendent to Town Board –  
Request for resolution to purchase a new and unused 2023 Western Starr 4700SB Truck Cab & Chassis with Viking Cives Equipment from Fleet Maintenance Inc., 67 Ransier Dr., West Seneca, NY. Disposition = For Resolution**
- 155. NYSEG to Supervisor –  
Construction notification regarding Empire State Transmission Line Project/ Erie Street Substation. Disposition = Received & Filed**
- 156. Principal Planner, Town of Amherst to Town of Lancaster –  
Amendment to Major Site Plan Review at 6868, 6886, 6888, 6900 Transit Rd., Basil Family Dealerships. Disposition = Received & Filed**
- 157. Assistant Planning Director, Town of Amherst to Supervisor –  
Request for response to Amendment to Major Site Plan Review at 6868, 6886, 6888, 6900 Transit Rd., Basil Family Dealerships.  
Disposition = Received & Filed**

- 158. Town Clerk to Town Board –  
Town Clerk Monthly Report for February 2022. Disposition = Received & Filed**
- 159. Police Chief to Town Clerk –  
Articles and communications. Disposition = Received & Filed**
- 160. Lancaster Village Mayor to Supervisor –  
Request for reallocation of funds for the Taste of Lancaster towards other  
events that were held in 2021 and planned for 2022. Disposition = For Resolution**

**ADJOURNMENT:**

**ON MOTION OF COUNCIL MEMBER LEARY AND SECONDED BY  
COUNCIL MEMBER BURKARD AND CARRIED,** the meeting was adjourned in  
memory of Kevin Brooder, Doris Huber, Molly Kaminski, Madeleine Lower, Larry  
Magierski, Mackenzie Mycek and James Sinner at 9:41 P.M.

Signed\_\_\_\_\_

Diane M. Terranova, Town Clerk